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RHODE ISLAND DEPARTMENT OF ENVIRONMENTAL MANAGEMENT COMMENTS ON DRAFT FEASIBILITY STUDY ADDENDUM FOR SITE 16 NCBC DAVISVILLE RI

4/17/2013

RHODE ISLAND DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
235 Promenade Street, Providence, RI 02908-5767 TDD 401-222-4462

17 April 2013

Mr. Jeffrey Dale, RPM
U.S. Department of the Navy
BRAC PMO, Northeast
4911 South Broad Street
Building 679, PNBC
Philadelphia, PA 19112

RE: NCBC Site 16 Feasibility Study Addendum
Davisville, Rhode Island
Submitted 20 March 2013, Dated 19 March 2013

Dear Mr. Dale:

The Rhode Island Department of Environmental Management, Office of Waste Management (RIDEM) has reviewed the above referenced document and comments are presented below:

1. Page 3-1, Section 3.1.1, Soil Alternative S-3A, Description, Component 1: Excavation, Paragraph 2 – This paragraph notes that shoring of Building E-107 may be necessary due to the close proximity of the building to the excavation and therefore concern for occupation of the building during said excavation activities. The Navy is proposing to excavate the top two feet of soil. Assuming the construction of the building followed some semblance of the building code there should be a minimum 42" deep footing to get below the frost line. This would negate the need for any shoring. Perhaps the Navy can send someone out to Building E-107 to dig a hole by the foundation to see if the footing goes at least two feet below ground surface. The concern is that we are unnecessarily alarming users of the site. Please remove this concern from the paragraph unless it can be substantiated.

   Shoring for the excavation, however, could be required depending upon how the Navy addresses exceedances of RIDEM GB TPH Leachability Criteria of 2500 ppm. There are two locations where this criteria are exceeded: 4400 ppm @ SB16-094 at a depth of 5' to 7' bgs and 5100 ppm @ 28-SB-P45 at an unknown depth. There is one other location, TP16-01 from 5' to 9' bgs at 1500ppm which exceeds the GA Leachability Criteria of 1000 ppm. The Navy may choose to either excavate the contaminated soil or develop a PRG to monitor for TPH in groundwater.

30% post-consumer fiber

2. Page 3-2, Section 3.1.1, Soil Alternative S-3A, Description, Component 3: Designation of Waste Management Area – Based on Figure 3-2, the northern portion of the waste management area (WMA) abuts the shoreline of Allen Harbor. Groundwater flow direction is from the WMA to Allen Harbor. This northern boundary needs to be moved south far enough to allow for the monitoring of groundwater leaving the WMA, but prior to entering Allen Harbor to ensure there is no adverse affect, i.e. exceedances of PRGs, from the groundwater on Allen Harbor.

3. Table 3-1, Federal and State Chemical Specific ARARs – Please remove the Citation DEM-DSR-01-93, Section 3.39. At our 28 March 2013 BCT meeting RIDEM agreed to allow the Navy to call the recreational land use at the marina "restricted recreational" to clarify that land use at the marina would be restricted to recreational use and that no residential use could take place on the marina property even though the remedial standards for recreational use are the same as the residential standards. Section 3.39 of the RIDEM Remediation Regulations, Amended November 2011 does not apply to this site. It would be more appropriate to cite Section 3.62(a) of the RIDEM Remediation Regulations for the reasons cited in our 26 March 2013 comment #1 to the Navy on the NCBC Site 16 Proposed Plan. Please include DEM-DSR-01-93 Section 8.02(A)(iv) which addresses TPH standards.

4. Table 3-3, Federal and State Action Specific ARARs – Alternative S-3A - Please add the following RIDEM Office of Waste Management Solid Waste Regulation No. 2 Citations: Section 2.1.08(c)(1)(i)(B). This portion of the regulation addresses minimum number of upgradient and downgradient monitoring wells and Sections 2.1.08(c)(1)(i)(C) & (D). These regulations govern where downgradient monitoring wells can be located in relation to a waste management unit.

5. Page 3-4, Section 3.1.2, Detailed Analysis, Alternative S-3A, Short-Term Effectiveness, Paragraph 4, Last Sentence - Based on the Navy response to Comment 1 perhaps the reference to the manufacture of steel used in sheet piles for shoring could be eliminated since a two foot deep excavation is unlikely to require shoring.

6. Page 3-5, Section 3.1.2, Detailed Analysis, Alternative S-3A, Implementability, Paragraph 2, Sentence 2 – This sentence states that LUCs would be incorporated into the Land Use Control Implementation Plan (LUCIP). Please clarify that LUCs (institutional controls) would result in an environmental land use restriction (ELUR) recorded on the property's deed as described in Section 8.09 of the RIDEM Remediation Regulations, as Amended November 2011.

7. Page 3-7, Section 3.2.1, Groundwater Alternative G-3B, Description, Component 2: Monitored Natural Attenuation, Paragraph 1 – This paragraph states that because of the low frequency of detection and low concentrations that arsenic and naphthalene would not be included in the monitoring program. Since they are COCs they need

to be included in the monitoring program. If after an agreed upon number of sampling rounds that these COCs do not exceed PRGs then the parties can discuss discontinuing monitoring for said COCs. RIDEM concurs that iron and manganese need not be considered in the long-term monitoring program as these constituents are considered nutrients.

8. Page 3-7, Section 3.2.1, Groundwater Alternative G-3B, Component 3: LUCs, Paragraph 1 – Similar to Comment 6, RIDEM is concerned that the LUC will result in an ELUR on the property in accordance with Section 8.09 of the RIDEM Remediation Regulations, as Amended November 2011. Also of concern to RIDEM is that Site 16 be used for industrial/commercial purposes with the exception of the marina which is to be used for recreational purposes and that this information is described in the ELUR. The requirement that this property be used specifically for port related activities is an issue that is of concern to the Navy, Maritime Administration and QDC and should be described separate from the ELUR.

9. Page 3-8, Section 3.2.1, Groundwater Alternative G-3B, Component 3: LUCs, Paragraph 3 – "Thus, the additional LUC would be applied to areas where VOC-contaminated shallow groundwater is present, and wherever vapor intrusion could be a potential pathway. This is assumed to be coincidental with the area where groundwater use is prohibited." With respect to building construction the first sentence implies that there will be areas where there will be ***no restriction*** on building construction methods. For the second sentence, RIDEM was under the impression that groundwater use was to be restricted over the entire site. If groundwater use is to be restricted over the entire site then building construction methods will also be restricted over the entire site. Please confirm whether groundwater use will be restricted over the entire site and revise this paragraph as appropriate.

10. Page 3-10, Section 3.2.1, Groundwater Alternative G-3B, Component 4: Contingency Remedy – please note that any monitoring frequencies presented in the FSA are for estimating purposes and will be finalized during the remedial design.

11. Table 3-1, Chemical Specific ARARs Soil– Please include RIDEM Remediation Regulations (DEM-DSR-01-93) Sections 8.01 Remedial Objectives which are more stringent than USEPA criteria, Section 8.08 (A) and (B) Points of Compliance for Soils and Groundwater, respectively, Section 8.10 Compliance Sampling and Section 9.02 Remedial Objectives which address groundwater, surface water, sediment, soil and air remedial objectives.

12. Table 3-2, Location Specific ARARs Soil - Please include RIDEM Remediation Regulations (DEM-DSR-01-93) Section 8.09 Institutional Controls as this describes how ELURs are to be prepared and administered.

13. Table 3-4, Chemical Specific ARARs Groundwater – Please include RIDEM Remediation regulations (DEM-DSR-01-93) Section 9.02 (A) groundwater Objectives requires a remedial objective for substances which have actual or potential impacts on groundwater.

14. Page 4-3, Section 4.2.1, Marina Soil remediation, Description of Component, Paragraph 2 - See Comment 1 as it not clear that shoring would be required for a two foot deep excavation.

15. Page 5-4, Section 5.1.5, Short-Term Effectiveness Soil, Paragraph 2, Sentence 4 – Please explain for Alternative S-3A how exposure to remaining contaminants that may leach from the soil into the groundwater would be addressed by the WMA. As long as the leached contaminants remain under the WMA they would not be addressed, i.e. meet PRGs, and if they migrate beyond the WMA then they would need to be addressed.

16. Comments on the Proposed Plan have been previously provided to the Navy on 26 March 2013.

RIDEM would like to thank you for the opportunity to comment on this document and looks forward to working with the Navy and USEPA. If you have any questions or require additional information please call me at (401) 222-2797 ext. 7138 or email me at richard.gottlieb@dem.ri.gov.

Sincerely,

Richard Gottlieb, P.E.

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